IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

W.P.NO.579 OF 2005

Moreshwar Bhaduji Jangle ..Petitioner

Vs.

The Principal Gokhale
Education Societies Parel
Centre and Ors. ..Respondents

...

Mr.Rahul S.Thakur Advocate for Petitioner
Mr.M.B.Mehere Advocate for Respondent Nos.1 and 2
Mr.R.A.Rodrigues Advocate for Respondent No.3

...

CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : JUNE 22, 2006

P.C.

1. From the reply filed on behalf of the College in so far as the direction No.1 issued by University Grievances Committee, between the period 12.6.1989 to 24.9.1989, the petitioner was not on duty. The learned counsel however, points out to us the contents of para no.1 of the letter dated 23.2.2000. That letter speaks about the continuation of service and accrued service

benefits. There is no order directing the payment of the wages for the said period. At the highest, that letter would give a right to the petitioner for other purposes including counting his service if there was no break. In that view of the matter, in so far as the consequent direction no.1 of letter dated 12.12.2003, need not be complied with by the Respondent.

2. In so far as direction no.2 is concerned, it is the contention of the College that petitioner passed M.Phil in the year 2000 and therefore, entitled to the increments only from that year and was not entitled for any increments before passing of the examination. There is however, a recommendation of the Committee. In that respect, it for the respondent-College to move the Grievances Committee and point out the same. It will be open to the Grievances Committee of the University, if material is placed before it, to consider the contention as urged by the College and thereafter pass appropriate orders. The entire exercise to be completed within 12 weeks of the College moving the application. College shall do so within 15 days from today.

3. In so far as prayer (3) is concerned, in the affidavit of Ashok Vispute at page 6, it is shown that respondent-College has complied with such direction.

4. Considering the above observations, petition stands disposed of.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI,J.]